

## REMARKS

Claims 1, 2, 5-9, 12-20, 23-29, 32 and 33 are pending

35 USC 112, 2<sup>nd</sup> Paragraph, Rejection:

Claims 1, 8, 15, 19, 24 and 28 are rejected under 35 USC 112, second paragraph, for indefiniteness. The Office Action provides ‘the limitation “available at the same time” in independent claims ... [has] insufficient antecedent basis ...’ However, the language of the independent claims recite “available at **a** same time.” The indefinite rejection appears to be misplaced, because there is no antecedent basis issue when the claims recite “**a** same time.” Further, the independent claims are amended for clarity. Withdrawal of this rejection is requested.

35 USC 103(a) Rejection:

Claims 1-2, 5-9, 12-20, 23-29, and 32-33 are rejected under 35 USC 103(a) as being unpatentable over Oe (US Publication No. 2006/0041614) and further in view of Mitsuoka (US publication no. 2003/0154281). The pending claims remain for reconsideration, which is requested. No new matter is believed to have been added.

The language of claim 1 provides “managing collectively ... using **different storage area usage ways available at a same time**, including one or more of **a single usage way, an integrated usage way, a multiply usage way and/or a divided usage way**—available at a same time.” In rejecting this feature, the Office Action page 3, 1<sup>st</sup> paragraph, and Response to Arguments, page 6, items 7A, 7B rely upon paragraphs 19, 55, 57, respectively. Oe paragraph 57 discusses the memory management part 42, which is in the cache apparatus 4. In Oe, the memory management part 42 manages as to which area of the memory device 43 is allocated as a cache for data of a disk apparatus 31. Further, Oe paragraph 50 discusses a control apparatus 2 carries out management as to which data is stored in which location in the storage apparatus 3 and in the cache apparatus 4. Thus, Oe relates to a plurality of clients 7 in network communication with a storage apparatus 3 having a plurality of disk apparatuses 31, and a cache apparatus 4 acting as a cache of data stored in a storage apparatus 31, and a control apparatus 2 managing as to which data is stored in which location in the storage apparatus 3 and in the cache apparatus 4.

Further, it is readily apparent that Mitsuoka does not expressly or implicitly disclose this

feature, and the Office Action only relies upon Mitsuoka for allegedly discussing a storage system accepting accesses according to different protocols from a plurality of external devices.

A prima facie case of obviousness based upon Oe and Mitsuoka cannot be established, because nothing has been cited or found that Oe and/or Mitsuoka discloses, expressly or implicitly, to one skilled in the art to combine Oe's memory management part 42, which is in the cache apparatus 4 and manages the cache, or Oe's control apparatus 2 managing as to which data is stored in which location in the storage apparatus 3 and in the cache apparatus 4, with Mitsuoka's use of different protocols for accessing a storage system, and then further modify Oe to provide the language of the claims, namely "managing collectively ... using ***different storage area usage ways available at a same time***, including one or more of a single usage way, an integrated usage way, a multiply usage way and/or a divided usage way-available at a same time." In other words, the language of the claims expressly provides "different storage area usage ways available at a same time" and the language of the claims further recites the ways (methods/modes or how) of using a storage, namely "***a single usage way, an integrated usage way, a multiply usage way and/or a divided usage way***." Oe's cache manager 42 and control apparatus 2 discussions are silent on any storage use ways as claimed. A benefit of the embodiments is to manage the storage areas of the servers based upon the different "***storage use ways***" that may be available or occur at a same time. In other words, a benefit is registering available ways of, or an available mode of, a storage area useable by a server, and managing the storage areas based upon the available storage area ways. For example, page 6, line 22 to page 8, line 10 and FIGS. 1A-1B support the embodiments.

It is submitted that the Office Action does not provide any rejections rationale as to how Oe's cache manager and control apparatus discussions can meet the language of claims "***different storage area usage ways available at a same time***, including one or more of a single usage way, an integrated usage way, a multiply usage way and/or a divided usage way," and accordingly Applicants request a telephonic interview to expedite prosecution of the patent application.

#### INDEPENDENT CLAIM 34

Further, independent claim 34 is allowable by reciting "***registering ... a plurality of storage usage ways available at a same time*** and corresponding that correspond to storage areas of storage devices of related servers; and ***collectively managing, at the management server, the storage areas of the storage devices for a server according to a using the***

~~plurality of storage usage way~~," because Oe's cache manager 42 or control apparatus 2 do not register "storage usage ways," providing a benefit of registering available ways of, or an available mode of, a storage area useable by a server, and managing the storage areas based upon the available storage area ways.

Withdrawal of the rejections and allowance of the claims is requested.

### SUMMARY

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,  
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